

## **INTERVIEW SUMMARY BY APPLICANT**

The Applicant acknowledges with appreciation the courtesy extended by the Examiner during the telephone interview conducted January 9, 2007. During the telephone interview, the Applicant's representative presented the following arguments. In response to paragraph 7 on pages 8 and 9 of the Office Action, the Applicant does not argue merely that there is no teaching to combine, but also that the references, even if combined, would not have resulted in the present claimed invention. The claims recite a vending unit and recite that the payment acceptance device, dispenser, and processing device, among other components, are located in the vending unit. The Applicant's representative argued that the combination of references proposed in the Office Action would not have had such features as recited in the claims.

In response, the Examiner noted that that *Slavin et al* teaches replenishment of the transponder in Fig. 8 and that *Davis et al* teaches performing accounting functions regarding the payment card 20.

In response, the Applicant's representative noted that the replenishment of the transponder of *Slavin et al* happens after the transponder has been purchased and does not affect the way in which it is purchased. The Applicant's representative also noted that the card of *Davis et al* corresponds to the mode of payment for the transponder, not the transponder itself. The Applicant's representative argued that as a consequence, the combination of references proposed by the Examiner would have resulted simply in a vending machine that accepts some sort of payment card to sell pre-packaged toll transponders with predetermined values, which is a far cry from the present claimed invention.

The Examiner acknowledged that he might be stretching the *Davis et al* reference. He indicated that he would consider the Applicant's arguments upon filing of a formal Response to the outstanding Office Action. He also suggested amending the independent claims to limit them to the subject matter already indicated as allowable.

## **REMARKS**

The Advisory Action mailed September 21, 2006, has been carefully considered. In response thereto, the Applicant respectfully submits that the application as further amended is in condition for allowance. Accordingly, reconsideration and withdrawal of the Final Rejection and issuance of a Notice of Allowance are respectfully solicited.

At the outset, the Applicant acknowledges with appreciation the indication of allowable subject matter in claim 50.

The present claims recite a vending unit and to recite that the payment acceptance device, dispenser, and processing device, among other components, are located in the vending unit. As discussed during the interview, such features are not taught or suggested in the applied prior art and would not have resulted from the combination of the applied references proposed in the Office Action.

The Applicant respectfully submits that the combination of references proposed in the Office Action would most likely have resulted in a system that sells transponder tags through a vending machine, in which the transponder tags have values predetermined at the factory. There would be no transmission of the stored value from the vending unit to a remote computer for maintaining account information regarding the electronic toll collection device, as in claim 1, nor would there be an administrative computer to which that stored value is transmitted, as in claim 15.

The replenishment of the transponder taught in Fig. 8 of *Slavin et al* happens after the transponder is sold and is thus irrelevant to the operation of the vending unit.

The accounting taught by *Davis et al* is not for the item sold through the vending machine, but instead for the card used to pay for the item. The card of *Davis et al*

corresponds to the mode of payment for the transponder, not the transponder itself. As a consequence, the combination of references proposed in the Office Action would have resulted simply in a vending machine that accepts some sort of payment card to sell pre-packaged toll transponders with predetermined values, which is a far cry from the present claimed invention.

Therefore, the Applicant respectfully submits that combination of references proposed in the Office Action would not have taught or suggested the present claimed invention.

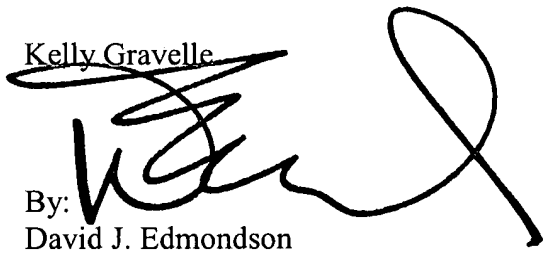
For the reasons set forth above, the Applicant respectfully submits that the application is in condition for allowance. Notice of such allowance is earnestly solicited.

In the event there are any questions relating to this Supplemental Amendment or the application in general, it would be appreciated if the Examiner would telephone the undersigned concerning such questions so that prosecution of this application may be expedited.

Please charge any shortage of fees, or credit any overpayment thereof, to BLANK ROME LLP, Deposit Account No. 23-2185 (114944-00434). In the event that a petition for an extension of time is required to be submitted herewith and in the event that a separate petition does not accompany this Amendment or is insufficient to render this Amendment timely, the Applicant hereby petitions under 37 C.F.R. § 1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized above.

Respectfully submitted,

Kelly Gravelle

By:   
David J. Edmondson  
Reg. No. 35,126

Customer No. 27557  
BLANK ROME LLP  
Watergate 600, 11<sup>th</sup> Floor  
600 New Hampshire Ave., N.W.  
Washington, D.C. 20037-2485  
Telephone 202-772-5836  
Facsimile 202-572-1436